

REMARKS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Final Official Action provided.

Claims 1, 2, and 4-6 are currently pending. Applicants respectfully request reconsideration of the outstanding rejection and allowance of claims 1, 2, and 4-6 in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

The Examiner has rejected claims 1, 2, and 4-5 under 35 U.S.C. §103(a) as being unpatentable over MCCOMBE et al. (U.S. Patent Application Publication No. 2004/0199251) in view of LIN (U.S. Patent No. 6,325,827).

Initially, it is noted that claim 6 was not included in the above noted rejection under 35 U.S.C. § 103(a) on pages 2-3 of the Final Official Action. However, claim 6 was listed as rejected on the Form PTOL-326. Further, on page 2 of the Final Official Action, the Examiner stated that Applicant's arguments regarding claims 1, 2, and 4-6 were considered but are moot in view of the new ground of rejection. Accordingly, in view of the above noted remarks, it is believed that a typographical error was made (in the body of the rejection under 35 U.S.C. § 103(a) on pages 2-3 of the Final Official Action) and that claims 1, 2, and 4-6 have been rejected under 35 U.S.C. § 103(a).

However, Applicants respectfully submit that in view of the herein contained remarks, the rejection of claims 1, 2, and 4-6 under 35 U.S.C. § 103(a) is not appropriate. In this regard, it is noted that the MCCOMBE publication was filed in the United States on April 1, 2003. Since the present application was filed in the United States on August 19, 2003, the rejection of claims 1, 2, and 4-6 under 35 U.S.C. § 103(a) over MCCOMBE in view of LIN is based on 35 U.S.C. §

102(e), and not on 102(b). Further, Applicants are, under 35 U.S.C. § 119(a), entitled to the benefit of the filing date of Japanese Patent Application No. 2002-239086, filed August 20, 2002. A Claim for Priority and a certified copy of the Japanese application were filed in the present application on August 19, 2003, and were acknowledged in the Official Action dated September 7, 2004. Further, Applicants are submitting herewith a certified English language translation of Japanese Patent Application No. 2002-239086. Therefore, Applicants' Claim for Priority under 35 U.S.C. § 119 has been perfected.

The MCCOMBE et al. publication was filed in the United States on April 1, 2003, after the perfected priority date of the present application. Accordingly, it is believed that the rejection of claims 1, 2, and 4-6 under 35 U.S.C. § 103(a), based on 35 U.S.C. § 102(e), has been overcome, and reconsideration and withdrawal of the rejection of claims 1, 2, and 4-6 under 35 U.S.C. § 103(a) is respectfully requested.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection, and an early indication of the allowance of claims 1, 2, and 4-6.

#### SUMMARY AND CONCLUSION

In view of the foregoing, it is submitted that the present response is proper for entry since it merely perfects Applicants' Claim for Priority and it is also submitted that none of the references of record, considered alone or in any proper combination thereof, anticipate or render obvious Applicants' invention as recited in claims 1, 2, and 4-6.

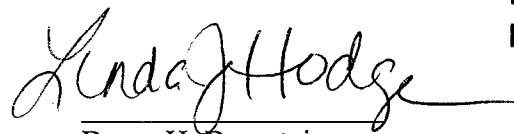
Accordingly, consideration of the present response, reconsideration of the outstanding Official Action, and allowance of all of the claims in the present application are respectfully requested and now believed to be appropriate.

P24072.A15

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,  
Shigenobu SATO et al.

A handwritten signature in cursive script, reading "Linda J. Hodge", with a horizontal line extending to the right.

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